

### DECLARATION AND PETITION

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled HORN ARRAY EMITTER, the specification of which is attached hereto; that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.


I hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed U.S. Provisional Patent Application No. 60/192,778 filed on March 28, 2000; and, insofar as the subject matter of each of the claims of these applications is not disclosed in the earlier filed pending applications in the manner provided by the first paragraph of Section 112 of Title 35 of the United States code, we acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed applications and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

**Table 1.** Mean values of the variables measured during the three trials

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## POWER OF ATTORNEY

American Technology Corporation, a corporation organized and existing under the laws of the State of Delaware, having a business address of 13114 Evening Creek Drive South, San Diego, California 92128, owner of all right, title and interest in the invention entitled HORN ARRAY EMITTER for which an application for United States Letters patent is being filed concurrently herewith, and empowered to prosecute the U.S. and foreign applications on behalf of the inventors, hereby appoint as its attorneys and/or patent agents the law firm of THORPE, NORTH & WESTERN, LLP, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and VAUGHN W. NORTH, Registration No. 27,930, M. WAYNE WESTERN, Registration No. 22,788, CLIFTON W. THOMPSON, Registration No. 36,947, GARRON M. HOBSON, Registration No. 41,073, WEILI CHENG, Registration No. 44,609, DAVID R. MCKINNEY, Registration No. 42,868, STEVE M. PERRY, Registration No. 45,357, GARY P. OAKESON, Registration No. 44,266, and DAVID W. OSBORNE, Registration No. 44,989, all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

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Dated this 16 day of MARCH 2001 at San Diego, CA.

American Technology Corporation

By

  
James J. Croft III

Chief Technology Officer